

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	NO. 4:12CR155
	§	Judge Schell
ANSON CHI	§	

ELEMENTS OF THE OFFENSE

Count One

26 U.S.C. § 5861(d) makes it a crime for anyone to knowingly possess certain kinds of unregistered firearms such as destructive devices manufactured through the use of chemicals and a combination of parts intended for use in converting a readily assembled explosive. For the defendant to be found guilty of this crime, the government must prove each of the following elements beyond a reasonable doubt:

First: That the defendant knowingly possessed a firearm.

Second: That the firearm was a destructive device manufactured through the use of chemicals and a combination of parts intended for use in converting a readily assembled explosive.

Third: That the defendant knew of the characteristics of the firearm, that is, that it was a destructive device manufactured through the use of chemicals and a combination of parts intended for use in converting a readily assembled explosive.

Fourth: That the firearm was and could readily have been put in operating condition.

Fifth: That the firearm was not registered to the defendant in the National Firearms Registration and Transfer Record. It does not matter whether the defendant knew that the firearm was not registered or had to be registered.

Count Two

18 U.S.C. § 844(i) makes it a crime for anyone to attempt to maliciously damage or destroy by fire or explosive any building, vehicle, or any other real or personal property used in interstate or foreign commerce or affecting interstate or foreign commerce. For the defendant to be found guilty of this crime, the government must prove each of the following elements beyond a reasonable doubt:

First: That the defendant maliciously attempted to damage or destroy an Atmos natural gas pipeline, described in the indictment, by means of an explosive;

Second: That the defendant acted intentionally or with deliberate disregard of the likelihood that damage or injury would result from his acts; and

Third: That the Atmos natural gas pipeline that the defendant attempted to damage or destroy was used in activity affecting foreign or interstate commerce.

Respectfully submitted,

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Certificate of Service

I hereby certify a true and correct copy of the foregoing was served by electronic filing by CM/ECF to Robert Arrambide, on this the 3rd day of June, 2013.

/s/

M. Andrew Stover